

NEW YORK STATE DEPARTMENT OF HEALTH
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

BPMC No. 19-065

IN THE MATTER
OF
VIGNENDRA ARIYARAJAH, M.D.

COMMISSIONER'S
ORDER OF
SUMMARY
ACTION

TO: VIGNENDRA ARIYARAJAH, M.D.

The undersigned, Sally Dreslin, M.S., R.N., Executive Deputy Commissioner of Health, upon the recommendation of a Committee on Professional Medical Conduct of the State Board for Professional Medical Conduct, and upon the indictments in the People of the State of New York v. Vignendra Ariyarah, has determined that VIGNENDRA ARIYARAJAH, M.D. (henceforth: "Respondent"), New York license number 268773, has been charged with committing acts that constitute a felony under New York State law, and in the Executive Deputy Commissioner's opinion, the Respondent's alleged conduct constitutes an imminent danger to the health of the people. Attached hereto as Appendixes A and B and made a part hereof are Indictment No. 1762-2019, the People of the State of New York v. Vignendra Ariyarah and Indictment No. 319-2019, the People of the State of New York v. Vignendra Ariyarah, which constitute an imminent danger to the health of the people of this state.

It is therefore:

ORDERED, pursuant to N.Y. Pub. Health Law §230(12)(b), that effective immediately, Respondent shall discontinue or refrain from practicing medicine in the State of New York, or discontinue or refrain from practicing in any setting under the authority of Respondent's New York license.

Any practice of medicine in violation of this Order shall constitute Professional Misconduct within the meaning of N.Y. Educ. Law §6530(29) and may constitute unauthorized medical practice, a Felony defined by N.Y. Educ. Law §6512.

This Order shall remain in effect until the final conclusion of a hearing which shall commence within ninety days of the service of this order and shall end within ninety days thereafter. The hearing will be held pursuant to the provisions of N.Y. Pub. Health Law §230, and N.Y. State Admin. Proc. Act §§301-307 and 401. The hearing will be conducted before a committee on professional conduct of the State Board for Professional Medical Conduct on a date and at a location to be set forth in a written Notice of Hearing or Notice of Referral Proceeding to be provided to the Respondent at a later date and which will detail allegations of professional medical conduct in an attached Statement of Charges. If at any time the felony charges are dismissed, withdrawn, or reduced to non-felony charges, this Order shall terminate.

THESE PROCEEDINGS MAY RESULT IN A DETERMINATION THAT YOUR LICENSE TO PRACTICE MEDICINE IN NEW YORK STATE BE REVOKED OR SUSPENDED, AND/OR THAT YOU BE FINED OR SUBJECT TO OTHER SANCTIONS SET FORTH IN NEW YORK PUBLIC HEALTH LAW §230-a. YOU ARE URGED TO OBTAIN AN ATTORNEY TO REPRESENT YOU IN THIS MATTER.

DATED: Albany, New York
March 27, 2019


Sally Dreslin, M.S., R.N.
Executive Deputy Commissioner of Health
New York State Health Department

Inquiries should be directed to:

Marc S. Nash
Associate Counsel
New York State Health Department
Bureau of Professional Medical Conduct
Corning Tower, Room 2512
Albany, NY, 12237

Phone: 518-473-4282
[REDACTED]

APPENDIX "A"

**** DCJS 1020 FOR INDICTMENT ****

INDICTMENT
SUPREME COURT OF THE STATE OF NEW
YORK
COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK
AGAINST

INDICTMENT NO.
1762-2019

VIGNENDRA ARIYARAJAH

GREEN ZONE
SPECIAL VICTIMS
BUREAU

CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE BY A
PRACTITIONER
AFO: N
SEX CRIME: NA
(3 COUNTS)

CRIMINAL SALE OF A CONTROLLED SUBSTANCE IN THE FIFTH DEGREE
AFO: N
SEX CRIME: NA
(3 COUNTS)

CRIMINAL DIVERSION OF PRESCRIPTION MEDICATION AND PRESCRIPTIONS
AFO: N
SEX CRIME: NA
(3 COUNTS)

2019 MAR 21 PM 3:23

A TRUE BILL

FOREPERSON

ERIC GONZALEZ
DISTRICT ATTORNEY

COUNT ONE

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Prescription for a Controlled Substance by a Practitioner [P.L. § 220.65 (1)], committed as follows:

On or about December 7, 2016, in the County of Kings, State of New York, the defendant, being a practitioner, knowingly and unlawfully sold a prescription for a controlled substance, namely, oxycodone, to Confidential Witness Two.

COUNT TWO

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Prescription for a Controlled Substance by a Practitioner [P.L. § 220.65 (1)], committed as follows:

On or about December 21, 2016, in the County of Kings, State of New York, the defendant, being a practitioner, knowingly and unlawfully sold a prescription for a controlled substance, namely, oxycodone, to Confidential Witness Two.

COUNT THREE

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Prescription for a Controlled Substance by a Practitioner [P.L. § 220.65 (1)], committed as follows:

On or about and between December 22, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendant, being a practitioner, knowingly and unlawfully sold a prescription for a controlled substance, namely, lorazepam, to [REDACTED]

COUNT FOUR

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Controlled Substance in the Fifth Degree [P.L. § 220.31], committed as follows:

On or about and between December 7th, 2106 in the County of Kings, State of New York, the defendant knowingly and unlawfully sold a controlled substance, namely, oxycodone, to Confidential Witness Two.

COUNT FIVE

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Controlled Substance in the Fifth Degree [P.L. § 220.31], committed as follows:

On or about December 21, 2016, in the County of Kings, State of New York, the defendant knowingly and unlawfully sold a controlled substance, namely, oxycodone, to Confidential Witness Two.

COUNT SIX

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Sale of a Controlled Substance in the Fifth Degree [P.L. § 220.31], committed as follows:

On or about and between December 22, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendant knowingly and unlawfully sold a controlled substance, namely, lorazepam, to [REDACTED]

COUNT SEVEN

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Diversion of Prescription Medications and Prescriptions in the Fourth Degree [P.L. § 178.10], committed as follows:

On or about December 7, 2016, in the County of Kings, State of New York, the defendant knowingly and unlawfully committed a criminal diversion act.

COUNT EIGHT

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Diversion of Prescription Medications and Prescriptions in the Fourth Degree [P.L. § 178.10], committed as follows:

On or about December 21, 2016, in the County of Kings, State of New York, the defendant knowingly and unlawfully committed a criminal diversion act.


2

COUNT NINE

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Criminal Diversion of Prescription Medications and Prescriptions in the Fourth Degree [P.L. § 178.10], committed as follows:

On or about and between December 22, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendant knowingly and unlawfully committed a criminal diversion act.

ERIC GONZALEZ
DISTRICT ATTORNEY



APPENDIX "B"

**** DCJS 1020 FOR INDICTMENT ****

I N D I C T M E N T

S U P R E M E C O U R T O F T H E S T A T E O F N E W
Y O R K

C O U N T Y O F K I N G S

THE PEOPLE OF THE STATE OF NEW YORK :
AGAINST :

VIGNENDRA ARIYARAJAH &

p.1
INDICTMENT NO.
319-2019
SUPERSEDES NO.
10611-2016
GREEN ZONE
SPECIAL VICTIMS
BUREAU

MANSLAUGHTER IN THE FIRST DEGREE
AFO: N SEX CRIME: NA

MANSLAUGHTER IN THE SECOND DEGREE
AFO: N SEX CRIME: NA

ASSAULT IN THE FIRST DEGREE (4 COUNTS)
AFO: N SEX CRIME: NA

ASSAULT IN THE SECOND DEGREE (2 COUNTS)
AFO: N SEX CRIME: NA

RECKLESS ENDANGERMENT IN THE FIRST DEGREE
AFO: N SEX CRIME: NA

UNLAWFUL IMPRISONMENT IN THE FIRST DEGREE
AFO: N SEX CRIME: NA

CONSPIRACY IN THE FIFTH DEGREE (2 COUNTS)
AFO: N SEX CRIME: NA

ENDANGERING THE WELFARE OF A CHILD
AFO: N SEX CRIME: NA

A TRUE BILL

FOREPERSON

ERIC GONZALEZ

DISTRICT ATTORNEY

2019 MAR 21 PM 3:23

COUNT ONE

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED], of the crime of Manslaughter in the First Degree [P.L. § 125.20 (1)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, with intent to cause serious physical injury to [REDACTED], caused the death of a third person, namely, Infant Boy [REDACTED].

COUNT TWO

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED], of the crime of Manslaughter in the Second Degree [P.L. § 125.15 (1)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, recklessly caused the death of another person, namely, Infant Boy [REDACTED].

COUNT THREE

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED], of the crime of Assault in the First Degree [P.L. § 120.10 (3)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, namely, [REDACTED] and thereby caused serious physical injury to that person.

COUNT FOUR

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED], of the crime of Assault in the First Degree [P.L. § 120.10 (4)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, in the course of and in furtherance of the commission or attempted commission of a felony, namely, Unlawful Imprisonment in the First Degree [P.L. § 135.10] as charged in Count Twelve of this indictment, or of immediate flight therefrom, caused serious

physical injury to a person other than one of the participants, namely, [REDACTED]

COUNT FIVE

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Assault in the First Degree [P.L. § 120.10 (4)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, in the course of and in furtherance of the commission or attempted commission of a felony, namely, Unlawful Imprisonment in the First Degree [P.L. § 135.10] as charged in Count Twelve of this indictment, or of immediate flight therefrom, caused serious physical injury to a person other than one of the participants, namely, Infant Boy [REDACTED]

COUNT SIX

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Assault in the First Degree [P.L. § 120.10 (4)], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendant, in the course of and in furtherance of the commission or attempted commission of a felony, namely, Assault in the Second Degree [P.L. § 120.05 (5)] as charged in Count Nine of this indictment, or of immediate flight therefrom, caused serious physical injury to a person other than one of the participants, namely, Infant Boy [REDACTED]

COUNT SEVEN

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Conspiracy in the Fifth Degree [P.L. § 105.05], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, did with intent that conduct constituting a felony, namely, Assault in the Second Degree [P.L. § 120.05(1)], be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

- (1) On or about December 21, 2016, in the evening hours, [REDACTED] an unindicted co-conspirator and defendant Vignendra Ariyarajah drove Confidential Witness One to 1012 Ocean Avenue in Brooklyn, New York.
- (2) On or about December 21, 2016, after arriving at 1012 Ocean Avenue in Brooklyn, defendant Vignendra Ariyarajah escorted Confidential Witness One to apartment [REDACTED] and introduced her to [REDACTED] who was lying on a sheet on the floor, semi-comatose, moaning, and covered in vomit.
- (3) On or about December 21, 2016, in the evening hours, defendant Vignendra Ariyarajah left apartment [REDACTED] at 1012 Ocean Avenue momentarily, and returned with a large syringe, which he instructed Confidential Witness One to use to administer water and juice to [REDACTED].
- (4) On or about December 21, 2016, in the evening hours, defendant Vignendra Ariyarajah told Confidential Witness One that [REDACTED] should be given small amounts of water and juice to drink and should not be given any food.
- (5) On or about December 22, 2016, at approximately 6:36 p.m., [REDACTED] sent a text message to defendant [REDACTED] stating: "1. When giving soup tonight, same thing...1 or 2 more crushed pills. 2. Ask [REDACTED] to gauge moaning, i.e. is it less, 3. Sleep wake cycles, 4. Urine output, 5. Need feedback if she is clearing tonight or tomorrow a.m. i.e. more sensible, more alert..." On or about December 22, 2016, at approximately 6:36 p.m., [REDACTED] an unindicted co-conspirator sent a follow-up text message to defendant [REDACTED] stating: "From Dr. Vic."
- (6) On or about December 22, 2016, at approximately 8:12 p.m., defendant Vignendra Ariyarajah sent a text message to defendant [REDACTED] stating: "Please ask SPECIFIC questions to the aide to ensure there is progress. I want to see that PM is more alert, groaning less, talking more, complete sentences, appears less intoxicated, more sensible... also puking less blood."
- (7) On or about December 22, 2016, at approximately 8:13 p.m., defendant Vignendra Ariyarajah sent a

text message to defendant [REDACTED] stating:
"Ensure she is not in shock i.e. hands and feet not
cold and clammy, no dusky color."

- (8) On or about December 23, 2016 at approximately 10:59 a.m., defendant Vignendra Ariyarajah sent a text message to defendant [REDACTED] stating: "Empty 4 or 2/3 from the bottles on the dresser (without anyone noticing)."
- (9) On or about December 24, 2016, after defendant [REDACTED] had called 911, summoning an ambulance, at approximately 11:08 a.m., defendant Vignendra Ariyarajah placed two telephone calls to defendant [REDACTED] at approximately 11:15 a.m. and 11:16 a.m.
- (10) On or about December 24, 2016, after defendant at approximately 11:18 a.m., defendant [REDACTED] called 911 and attempted to cancel the request for an ambulance, stating, "Doctor said it was okay to cancel."
- (11) On or about December 24, 2016, at approximately 11:34 a.m., defendant [REDACTED] attempted to prevent emergency medical technicians from entering apartment [REDACTED] and rendering medical assistance to [REDACTED] and Infant Boy [REDACTED]

COUNT EIGHT

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED], of the crime of Assault in the Second Degree (P.L. § 120.05(1)), committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, with intent to cause serious physical injury to [REDACTED] caused such injury to [REDACTED]

COUNT NINE

The Grand Jury of the County of Kings, by this indictment, accuses the defendant, Vignendra Ariyarajah, of the crime of Assault in the Second Degree (P.L. § 120.05 (5)), committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendant acting with other persons, for a purpose other than lawful medical or therapeutic treatment, intentionally caused stupor, unconsciousness, or other physical impairment or injury to another person, namely, [REDACTED] by administering to

her, without her consent, a drug, substance, or preparation capable of producing the same, namely, phencyclidine and/or lorazepam.

COUNT TEN

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Reckless Endangerment in the First Degree [P.L. § 120.25], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, namely, [REDACTED]

COUNT ELEVEN

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Conspiracy in the Fifth Degree [P.L. § 105.05], committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, did with intent that conduct constituting a felony, namely, Unlawful Imprisonment in the First Degree [P.L. § 135.10], be performed, agreed with one or more persons to engage in or cause the performance of such conduct.

OVERT ACTS

- (1) On or about December 21, 2016, in the evening hours, [REDACTED], an unindicted co-conspirator asked Confidential Witness One who was visiting from Haiti to watch his friend's girlfriend who was sick, as the friend was leaving for vacation with his wife and needed someone to take care of his sick girlfriend.
- (2) On or about December 21, 2016, in the evening hours, the defendant Vignendra Ariyarajah instructed Confidential Witness One to not let [REDACTED] leave the apartment under any circumstances, and to not allow her to have any contact with any friends or family by phone.

- (3) On or about December 23, 2016, at approximately 11:58 p.m., [REDACTED] ran out of 1012 Ocean Avenue, apartment [REDACTED] and down to the street. Defendant Vignendra Ariyarajah then sent a text message to defendant [REDACTED] stating, "1. NEVER, NEVER, NEVER forget to take keys when you leave apartment. 2. If she runs out of house, you MUST FOLLOW HER. What that aid did was just plain silly...CANNOT leave her outside on her own!!@!!"
- (4) On or about December 23, 2016, after [REDACTED] ran out of Apartment [REDACTED] Defendant [REDACTED] brought [REDACTED] back to that apartment and administered medication to her which, Defendant Vignendra Ariyarajah stated would calm [REDACTED] down, so that she would not attempt to flee again.
- (5) On or about December 24, 2016, at approximately 11:15 a.m. and 11:16 a.m. defendant Vignendra Ariyarajah placed two telephone calls to defendant [REDACTED] after [REDACTED] called 911 for an ambulance for [REDACTED] who was in labor. On or about December 24, 2016, at approximately 11:18 a.m., defendant [REDACTED] called 911 and attempted to cancel her request for an ambulance, stating "Dr. said I could cancel."
- (6) On or about December 24, 2016, at approximately 11:20 a.m., defendant [REDACTED] called 911 and again attempted to cancel [REDACTED] request for an ambulance.
- (7) On or about December 24, 2016, at approximately 11:34 a.m., defendant [REDACTED] attempted to block the Emergency Medical Technicians from entering the apartment in order to take [REDACTED] to the hospital.

COUNT TWELVE

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Unlawful Imprisonment in the First Degree (P.L. § 135.10), committed as follows:

On or about and between December 7, 2016 through and including December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, unlawfully restrained another person, namely, [REDACTED] under circumstances which exposed her to a risk of serious physical injury.

COUNT THIRTEEN

The Grand Jury of the County of Kings, by this indictment, accuses the defendants, Vignendra Ariyarajah and [REDACTED] of the crime of Endangering the Welfare of a Child [P.L. 5 260.10(1)], committed as follows:

On or about December 24, 2016, in the County of Kings, State of New York, the defendants, each aiding the other and acting in concert with other persons, knowingly acted in a manner likely to be injurious to the physical, mental, or moral welfare of a child less than seventeen years of age, namely, Infant Boy [REDACTED]

ERIC GONZALEZ

DISTRICT ATTORNEY

